

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHARLES JUDSON HOLBROOK,

Petitioner,

v.

CIVIL ACTION NO. 13-CV-13137  
HON. BERNARD A. FRIEDMAN

LLOYD RAPELJE,

Respondent.

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**ORDER GRANTING PETITIONER'S MOTION TO VOLUNTARILY DISMISS  
THE PETITION FOR A WRIT OF HABEAS CORPUS AND DENYING A  
CERTIFICATE OF APPEALABILITY**

Before the Court is petitioner's motion to voluntarily dismiss his pending petition for a writ of habeas corpus. In support of his motion, petitioner states that he has consulted with legal counsel and believes that he has "a snowball's chance in hell" of obtaining habeas relief from the Court. Having reviewed the motion, the Court finds that petitioner should be allowed to voluntarily withdraw his habeas petition and, therefore, the merits of the petition need not be addressed.

Furthermore, the Court declines to issue a certificate of appealability as reasonable jurists could not debate the correctness of the its procedural ruling. *See* 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b); *Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000). Accordingly,

IT IS ORDERED that petitioner's motion to voluntarily dismiss the petition for writ of habeas corpus is granted without prejudice.

IT IS FURTHER ORDERED that a certificate of appealability is denied.

S/Bernard A. Friedman  
BERNARD A. FRIEDMAN  
SENIOR UNITED STATES DISTRICT JUDGE

September 17, 2014